

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 17, 1998

DIVISION TWO

B112178 People (Not for Publication)
v.
Benjamin J. Caldera

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

B105072 People (Not for Publication)
v.
Dennis D. Dorris

The Court:

The judgment is vacated and the matter is remanded to the trial court for resentencing so that the court may exercise its discretion whether to impose consecutive or concurrent sentences on counts 1, 2, and 3.

Boren, P.J., Nott, J., Zebrowski, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

Each of the following:

B104388 Messerschmidt v. TRW, Inc.
B102329 People v. Pettis
B111687 People v. Jackson
B110699 People v. Flores
B105067 People v. Hunicutt
B107697 People v. Mendoza
B113345 People v. Elizardo
B113116 People v. Potter
B110828 People v. Johnson
B110223 People v. Davis
B110274 People v. Mallard
B117749 Fernando B. v. S.C.L.A.
B107537 People v. Diaz
B108791 People v. Rivera
B107614 People v. London
B111090 People v. Urbano E.
B082659 People v. Reyes
B106924 People v. Jeong

Argument waived, cause submitted.

B100516 Insured Energy Drilling Program
v.
Trust Company Of The West, et al.

Merits:

Argued by Gerald Serlin for appellant and by Jeanne Irving for respondent.
Supplemental brief by appellant due on March 19, 1998, response due on
April 18, 1998, and reply due on April 28, 1998. Submission deferred.

DIVISION THREE (Continued)

B115246 People
 v.
 S.C.L.A.
 Richard W. Yi

Merits:

Argued by Diana L. Summerhayes, deputy district attorney for petitioner and by Darryl W. Genis for real party in interest. Cause submitted.

B100877 People
B112047 v.
 Murdoch

Merits:

Argued by Barbara S. Perry for appellant and by David Andrew Eldridge, deputy attorney general for respondent. Cause submitted.

B112469 People
 v.
 Scott
 (In re Wesley Scott on Habeas Corpus)

Merits:

Argued by Thomas Kallay for petitioner and by Steven Matthews, deputy attorney general for real party in interest. Cause submitted.

Court recessed at 12:06 P.M.

The Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

DIVISION THREE (Continued)

B103978 Family Planning Associates Medical Group
 v.
 Belshe

Merits:

Argued by Richard T. Waldow, deputy attorney general for appellant and by Patric Hooper for respondent. Cause submitted.

B111679 People
 v.
 Martin

Merits:

Argued by Rachel Houseman for appellant and by Ruth L. Wei, deputy attorney general for respondent. Cause submitted.

B106901 People
 v.
 Garcia

Merits:

Argued by Steven C. Bronson for appellant and by Carol Frederick Jorstad, deputy attorney general for respondent. Cause submitted.

B110022 Ohtech International, Inc.
 v.
 State Board of Equalization

Merits:

Argued by Joseph E. Mudd for appellant and by Richard W. Bakke, deputy attorney general for respondent. Cause submitted.

DIVISION THREE (Continued)

B109115 Barzilli, et al.
 v.
 Fillippi

Merits:

Argued by Robert Barzilli, appellant in propria persona. Argument waived by respondent. Cause submitted.

B109566 Campos, et al.
 v.
 Costello

Merits:

Argued by Morton Steinman for appellant and by Adam L. Rollins for respondent. Supplemental brief by appellant due on February 20, 1998, response due on February 27, 1998. Submission deferred.

B099494 Security Reprographic Services, Inc., et al.
 v.
 Compex Systems, Inc.

Merits:

Argued by Richard Greenberg for appellant and by Russell M. Frandsen for respondent. Cause submitted.

B104618 Nissell
 v.
 The Subscribing Underwriters At Lloyds

Merits:

Argued by Philip Kaufler for appellant and by James S. Cooper for respondent. Cause submitted.

DIVISION THREE (Continued)

B107449 Tribby
 v.
 Progressive Casualty Ins. Co.

Merits:
Argued by James P. Lemieux for appellant and by Julia H. Azrael for respondent. Cause submitted.

B111966 Gossett
 v.
 Capital Cities, et al.

Merits:
Argued by Evan D. Marshall for appellant and by Lawrence J. Gartner for respondent. Supplemental brief by appellant due on February 27, 1998, response due by March 9, 1998. Submission deferred.

B116436 Banner Entertainment, Inc.
 v.
 S.C.L.A.
 (Alchemy Filmworks, Inc., r.p.i.)

Merits:
Argued by Steven Cochran for petitioner and by Jay Spillane for real party in interest. Cause submitted.

B104543 Puerta
 v.
 California Institute of Technology

Merits:
Argued by Burton V. McCullough for appellant and by Andrew C. Peterson for respondent. Cause submitted.

Court adjourned at 5:40 P.M.

February 17, 1998-Continued

DIVISION FOUR

B108723 People (Not for Publication)
v.
Artist

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

B105867 People (Not for Publication)
v.
Jackson

The Court:

The judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Baron, J.

DIVISION FIVE

B111795 Lloyd Bell (Not for Publication)
v.
FHP, Inc. et al.

The judgment is affirmed. Plaintiff is to pay defendants costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

February 17, 1998-Continued

DIVISION FIVE (Continued)

B117519 S., Elidia (Not for Publication)

v.
Superior Court, Los Angeles County
(Dept. of Children Services, r.p.i.)

The petition for extraordinary writ is denied.

Grignon, J.

We concur: Turner, P.J.
 Godoy Perez, J.

B107928 Esparza, et al. (Not for Publication)

v.
West, et al.

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Godoy Perez, J.

B099721 145 N. Robertson etc., et al. (Not for Publication)

V.
Connie Chein

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION SIX

B095490 Ricigliano (Not For Publication)

v.
Horton

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

B108578 People (Certified for Publication)

v.
Zermeno

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.

B108576 People (Not for Publication)

v.
Simmons

The judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.
Coffee, J.

B113725 People (Not for Publication)

v.
Gonzalez

The judgment is affirmed.

Stone, P.J.

We concur: Gilbert, J.
Coffee, J.

February 17, 1998-Continued

DIVISION SIX (Continued)

[illegible]

The order is affirmed.

Coffee, J.

We concur: Stone, P.J.
 Yegan, J.

[illegible]

The judgment is affirmed.

Stone, P.J.

We concur: Yegan, J.
Coffee, J.

B116043 People v. Horowitz (Not for Publication)

The judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.
Coffee, J.

DIVISION SEVEN

B103471 People
 v.
 Dor

Petition for rehearing and supplement denied by operation of law.

B108999 People
 v.
 Hayes

Filed order denying petition for rehearing.